



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,499	10/16/2001	Colin Andrew Low	1509-227	1494

22429 7590 02/10/2005

LOWE HAUPTMAN GILMAN AND BERNER, LLP  
1700 DIAGONAL ROAD  
SUITE 300 /310  
ALEXANDRIA, VA 22314

EXAMINER

BURGESS, BARBARA N

ART UNIT	PAPER NUMBER
----------	--------------

2157

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/977,499

Applicant(s)

LOW ET AL.

Examiner

Barbara N Burgess

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2-19-02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 5-6, 8, 10, 12, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claims 1, 5-6, 8, 10, 12 claims "advisory content". It is unclear as to the meaning of "advisory content". Examiner understands this to mean data, messages, webpages, or any information that can be sent over a communication channel until Applicant makes further clarification.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1- are rejected under 35 U.S.C. 102(e) as being anticipated by Truetken (hereinafter "True", US 6,493,324 B1).

Art Unit: 2157

As per claim 1, True discloses a helper entity for selectively offering assistance to an endpoint entity connected to at least one media channel established in respect of a network communication session to which the endpoint entity is joined, the helper entity comprising:

- An entity manager for receiving, in respect of the communication session, channel information about the channels established for the session (column 1, lines 35-37, 51-63, column 2, lines 61-65, column 3, lines 30-38, 51-67, column 4, lines 1-15, 24-40);
- A transport subsystem for establishing, in accordance with the channel information received by the entity manager, at least one media channel connection to a session transport mechanism associated with said session (column 2, lines 1-5, 16-20, column 3, lines 54-57, column 4, lines 48-52, column 5, lines 15-20);
- A media subsystem providing a respective media handler of appropriate type for the each media channel connection established by the transport subsystem, each media handler serving to receive and transmit content over the corresponding media channel (column 1, lines 37-40, column 3, lines 10-19, column 4, lines 1-10, 48-52);
- A monitor subsystem connected to the media handlers for matching content received by the media handlers with predetermined triggers (column 3, lines 60-67, column 4, lines 1-5, 60-67, column 5, lines 1-20; According to Applicant's specification, when a helper entity is triggered it offers advice specific to that page, such as triggering creation of the session transport (page 1, lines 6-9, page 3, lines 21-22, page 27, lines 6-11, page 28, lines 25-28, page 47, lines 24-26));

Art Unit: 2157

- An advisor subsystem responsive to responsive to the monitor subsystem finding a match to transmit advisory content on at least one channel via the corresponding media handler (column 3, lines 60-67, column 4, lines 1-5, 60-67, column 5, lines 1-20).

As per claim 2, True discloses a helper entity according to claim 1, wherein predetermined triggers are specified in the form of at least one of specific content, content combinations, and content patterns (column 3, lines 10-19, 60-67, column 4, lines 1-5, 25-30, 41-45, 65-67, column 5, lines 1-8).

As per claim 3, True discloses a helper entity according to claim 1, wherein at least one said predetermined trigger is specified in the form of content combinations or content patterns involving content on multiple channels (column 3, lines 10-19, 60-67, column 4, lines 1-5, 25-30, 41-45, 65-67, column 5, lines 1-8).

As per claim 4, True further discloses a helper entity according to claim 1, wherein the monitor subsystem manager includes, for at least one channel, a converter for converting the content received over the corresponding channel into a different form, this form being a form in which the monitor subsystem is adapted to carry out its matching of content with triggers (column 3, lines 39-57).

Art Unit: 2157

As per claim 5, True discloses a helper entity according to claim 1, wherein the advisor subsystem is operative to adapt the advisory content it delivers to be appropriate to content recently received over the connected channels (column 3, lines 60-67, column 4, lines 1-5, 60-67, column 5, lines 1-20).

As per claim 6, True discloses a helper entity according to claim 1, wherein the advisor subsystem is operative to receive context data regarding the communication session and to adapt the advisory content it delivers accordingly (column 3, lines 60-67, column 4, lines 1-5, 60-67, column 5, lines 1-20).

As per claim 7, True discloses a helper entity according to claim 6, wherein the context data includes data about endpoint entities connected to the session (column 4, lines 15-33).

As per claim 8, True discloses a helper entity according to claim 6, wherein the context data includes identity data about the endpoint entities joined to the session, the advisory subsystem including database access functionality for using the identity data to look up information about the entities in a database, this information then being used by the advisor system to adapt the advisory content it delivers (column 4, lines 15-33).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Truetken (hereinafter "True", US 6,493,324 B1) in view of Porter (US 6,434,599 B1):

As per claims 9, 13, True discloses in combination, a helper entity according to any one of the preceding claims:

- Each communication session established having an associated transport mechanism allowing the exchange of data, via data transfer channels, between endpoint systems joined to the session (column 3, lines 60-67, column 4, lines 1-5, 60-67, column 5, lines 1-20);
- The service system being operative to join the helper entity to a said session to offer assistance when appropriate to endpoint systems joined to the session (column 3, lines 10-19, column 4, lines 1-10).

True does not explicitly disclose:

- An information page server for serving information pages;
- A service system for establishing a respective communication session for each of at least some of the information pages and for joining to such session endpoint entities browsing the corresponding page.

Art Unit: 2157

However, in an analogous art, Porter discloses a chat session established when online users visit an information page of an information site. One visiting user initiates the chat session by expressing his/her desire to chat with other visiting users (column 1, lines 60-67, column 3, lines 25-28, column 4, lines 21-25, 51-55).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Porter's information page server and service system in True's helper entity providing online users with enhanced chatting experience that is more closely related to their real world experience.

As per claim 10, True discloses the combination set out in claim 9.

True does not explicitly disclose wherein the advisory content provided by the advisor subsystem is specific to the page associated with the session to which the helper entity is joined.

However, in an analogous art, Porter discloses a chat session established when online users visit an information page of an information site. One visiting user initiates the chat session by expressing his/her desire to chat with other visiting users (column 1, lines 60-67, column 3, lines 25-28, column 4, lines 21-25, 51-55).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Porter's advisor subsystem specific to the page associated with the session in True's helper entity providing online users with enhanced chatting experience that is more closely related to their real world experience.



As per claims 11, 14, True discloses the combination of claim 9, wherein the service-session functional entity joins the helper entity to the session in a manner such that other entities joined to the session are unaware of the joining of the helper entity (column 1, lines 35-40).

As per claims 12, 15, True discloses the combination set out in claim 9. True does not explicitly disclose wherein the service system includes a real-time database for recording for each session that is established, the identity of the associated information page and of any endpoint entity currently joined to the session, and a customer database, the helper entity including database access functionality for accessing the real-time database to ascertain the identities of the entities joined to the session which it then uses to adapt the advisory content it delivers, and an associated service instance with service-specific behavior determining when the session instance is to add and remove endpoint entities.

However, in an analogous art, Porter discloses a current visitor list and record used to track current visitors and information associated with current visitors (column 6, lines 23-45, column 7, lines 50-67, column 8, lines 1-11).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Porter's database for recording each session and identity of endpoints currently joined to the session in True's helper entity in order to track current visitors and information associated with current visitors.

As per claim 16, True discloses the combination of claim 13, wherein the state of connection of the helper entity to the transport mechanism is signaled to the session-service functional entity by leg messages passed between a leg controller of the entity manager of the helper entity and a corresponding leg controller of the service-session functional entity (column 2, lines 4-14, column 3, lines 24-35, column 5, lines 1-10).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

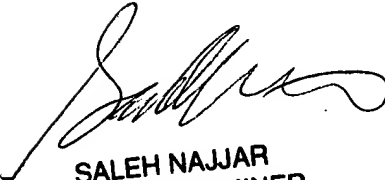
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/977,499  
Art Unit: 2157

Page 10

Barbara N Burgess  
Examiner  
Art Unit 2157

February 3, 2005



SALEH NAJJAR  
PRIMARY EXAMINER